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EXAMINER

SWEARINGEN, JEFFREY R

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/668,301	<b>Applicant(s)</b> AZAMI, TOMOHIRO	
	<b>Examiner</b> Jeffrey R. Swearingen	<b>Art Unit</b> 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/19/07 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 29-36 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 29-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

6. Multiple typographical errors are present within the currently submitted claims, making them impossible to reasonably construe. For example, see claim 29, clauses 3 and 4, which both have colons that would indicate the end of the preamble and the beginning of the claim limitations, and clause 6, which has a period half way through the claim limitation. Similar errors are present throughout the remaining claims.

7. Claims 29-36 refer to reference information having location information on a location of corresponding fragment data and position information on a connection position of the corresponding fragment data in the structured data. One of ordinary skill in the art cannot reasonably ascertain if the

Art Unit: 2145

reference information includes the location information and position information, if the reference information is located on a connection position of the corresponding fragment data, or if there is another possible reading of the claim limitation.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 29-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Shadmon et al. (US 6,804,677).

10. In regard to claim 29, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of fragment data constituting a structured data having a tree structure and a plurality of fragment data configuration information, created one for each fragment data, to concatenate said plurality of fragment data at a receiving side to generate the structured data stored, [column 22, lines 15-30]*

*Each piece of fragment data configuration information including reference information having location information on a location of corresponding fragment data and position information on a connection position of the corresponding fragment data in the structured data, [column 19, lines 20-41]*

*Said structured data receiving method comprising the steps of:*

*Specifying the location of the corresponding fragment data based on the reference information included in each piece of fragment data configuration information: [column 20, lines 12-23]*

*Receiving fragment data from the specified location; and [column 19, lines 59-63]*

Art Unit: 2145

*Concatenating the received fragment data to generate the structured data, based on the position information included in each piece of fragment data. configuration information, [column 19, line 64 – column 20, line 7]*

*Wherein said position information includes information specifying a node in the structured data and information specifying a connection position of the corresponding fragment data in relation to the specified node, and [column 20, lines 8-23]*

*Wherein when the connection position of the corresponding fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said position information is information specifying the lower node and the information specifying the connection position of the corresponding fragment data in relation to the specified node in said position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding fragment data, and [column 20, lines 29-55]*

*When the connection position of the corresponding fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said position information is information specifying the node included in said position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding fragment data. [column 20, lines 29-55]*

11. In regard to claim 30, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of fragment data constituting a structured data having a tree structure and a plurality of fragment data configuration information, created one for each fragment data, to concatenate said plurality of fragment data at a receiving side to generate the structured data stored, [column 22, lines 15-30]*

Art Unit: 2145

*Each piece of fragment data configuration information including reference information and position information on a connection position of the corresponding fragment data in the structured data, the reference information having location information on a location of corresponding fragment data and information on a name of the highest node of the corresponding fragment data, [column 19, lines 20-41]*

*Said structured data receiving method comprising the steps of:*

*Specifying the location of the corresponding fragment data based on the location information included in the reference information included in each piece of fragment data configuration information:*  
[column 20, lines 12-23]

*Receiving fragment data from the specified location; [column 19, lines 59-63]*

*Processing said position information included in each piece of fragment data configuration information according to the information on the name of the highest node included in the reference information included in each piece of fragment data configuration; and [column 20, lines 29-55]*

*Concatenating the received fragment data to generate the structured data, based on the processed position information, [column 20, lines 29-55]*

*Wherein said position information includes information specifying a node in the structured data and information specifying a connection position of the corresponding fragment data in relation to the specified node, and [column 20, lines 29-55]*

*Wherein when the connection position of the corresponding fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said position information is information specifying the lower node and the information specifying the connection position of the corresponding fragment data in relation to the specified node in said position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding fragment data, and [column 20, lines 29-55]*

*When the connection position of the corresponding fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node having no lower*

Art Unit: 2145

*node, the information specifying the node included in said position information is information specifying the given node and the information specifying the connection position of the corresponding fragment data in relation to the specified node in said position information is information specifying a position,, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding fragment data. [column 20, lines 29-55]*

12. In regard to claim 31, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of fragment data constituting a structured data having a tree structure and a plurality of fragment data configuration information, created one for each fragment data, to concatenate said plurality of fragment data at a receiving side to generate the structured data stored, [column 22, lines 15-30]*

*Each piece of fragment data configuration information including reference information and position information on a connection position of the corresponding fragment data in the structured data, the reference information having location information on a location of corresponding fragment data and information on a name of the highest node of the corresponding fragment data, [column 19, lines 20-41]*

*Said structured data receiving method comprising the steps of:*

*Specifying the location of the corresponding fragment data based on the location information included in the reference information included in each piece of fragment data configuration information: [column 20, lines 12-23]*

*Receiving from the specified location, fragment data determined to be concatenated based on the information on the content included in the reference information included in each piece of fragment data configuration information; and; [column 19, lines 59-63]*

*Concatenating the received fragment data to generate the structured data, based on the position information included in each piece of fragment data configuration information, [column 20, lines 29-55]*

*Wherein said position information includes information specifying a node in the structured data and information specifying a connection position of the corresponding fragment data in relation to the specified node, and [column 20, lines 29-55]*

*Wherein when the connection position of the corresponding fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said position information is information specifying the lower node and the information specifying the connection position of the corresponding fragment data in relation to the specified node in said position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding fragment data, and*[column 20, lines 29-55]

*When the connection position of the corresponding fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said position information is information specifying the given node and the information specifying the connection position of the corresponding fragment data in relation to the specified node in said position information is information specifying a position,, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding fragment data. [column 20, lines 29-55]*

13. In regard to claim 32, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of fragment data constituting a structured data having a tree structure and a plurality of fragment data configuration information, created one for each fragment data, to concatenate said plurality of fragment data at a receiving side to generate the structured data stored, [column 22, lines 15-30]*

*Each piece of fragment data configuration information including reference information and position information on a connection position of the corresponding fragment data in the structured data, the reference information having location information on a location of corresponding fragment data, information an a name of the highest node of the corresponding fragment data, and information on a content of the corresponding fragment data, [column 19, lines 20-41]*

*Said structured data receiving method comprising the steps of:*

Art Unit: 2145

*Specifying the location of the corresponding fragment data based on the location information included in the reference information included in each piece of fragment data configuration information: [column 20, lines 12-23]*

*Receiving from the specified location, fragment data determined to be concatenated based on the information on the content included in the reference information included in each piece of fragment data configuration information; [column 19, lines 59-63]*

*Processing the position information included in each piece of fragment data configuration information according to the information on the name of the highest node included in the reference information included in each piece of fragment data configuration information; [column 20, lines 29-55]*

*Concatenating the received fragment data to generate the structured data, based on the processed position information, [column 20, lines 29-55]*

*Wherein said position information includes information specifying a node in the structured data and information specifying a connection position of the corresponding fragment data in relation to the specified node, and [column 20, lines 29-55]*

*Wherein when the connection position of the corresponding fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said position information is information specifying the lower node and the information specifying the connection position of the corresponding fragment data in relation to the specified node in said position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding fragment data, and [column 20, lines 29-55]*

*When the connection position of the corresponding fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said position information is information specifying the given node and the information specifying the connection position of the corresponding fragment data in relation to the specified node in said position*

Art Unit: 2145

*information is information specifying a position,, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding fragment data. [column 20, lines 29-55]*

14. In regard to claim 33, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of first fragment data, a plurality of fragment data configuration information each corresponding to each first fragment data and which are information for generating a structured data having a tree structure by concatenating said plurality of first fragment data at a receiving side, and a fragment data update data including a second fragment data and concatenation information for concatenating the second fragment data and the structured data, [column 22, lines 15-30]*

*Each piece of fragment data configuration information including reference information having location information on a location of corresponding first fragment data, first position information on a connection position of the corresponding first fragment data in the structured data, and first concatenation processing information for specifying an 'add' as a processing way for concatenating the corresponding first fragment data and the structured data at the receiving side, [column 19, lines 20-41]*

*The concatenation information included in the fragment data update data including a second position information on a connection position of the corresponding second fragment data in the structured data and second concatenation processing information for specifying an 'add' as a processing way for concatenating the corresponding second fragment data and the structured data at the receiving side, [column 20, lines 38-55]*

*Wherein said first position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding first fragment data in relation to the specified node, and [column 20, lines 38-55]*

*Wherein when the connection position of the corresponding first fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said first position information is information specifying the lower node and*

Art Unit: 2145

*the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding first fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding first fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said first position information is information specifying the given node and the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position,, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding first fragment data, [column 20, lines 38-55]*

*Wherein said second position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding second fragment data in relation to the specified node, and [column 20, lines 38-55]*

*Wherein when the connection position of the corresponding second fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said second position information is information specifying the lower node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding second fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding second fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said first position information is information specifying the given node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding second fragment data, [column 20, lines 38-55]*

*Said structured data receiving method comprising the steps of:*

*Receiving the fragment data configuration information and the fragment update data; [column 19, lines 59-63]*

*Specifying the location of the corresponding fragment data based on the reference information included in each piece of fragment data configuration information, [column 20, lines 12-23]*

*Receiving the first fragment data from the specified location; and [column 20, lines 29-55]*

*Adding the received first fragment data to the connection position based on the first position information and the first concatenation processing information included in each piece of fragment data configuration information and adding the second fragment data included in the received fragment data update data to the connection position based on said second position information and the second concatenation processing information included in the received fragment data update data to generate the structured data. [column 20, lines 29-55]*

15. In regard to claim 34, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of first fragment data, a plurality of fragment data configuration information each corresponding to each first fragment data and which are information for generating a structured data having a tree structure by concatenating said plurality of first fragment data at a receiving side, and a fragment data update data including a second fragment data and concatenation information for concatenating the second fragment data and the structured data, [column 22, lines 15-30]*

*Each piece of fragment data configuration information including reference information, first position information on a connection position of the corresponding first fragment data in the structured data, and first concatenation processing information for specifying an 'add' as a processing way for concatenating the corresponding first fragment data and the structured data at the receiving side, the reference information having location information on a location of corresponding first fragment data and information on a name of a highest node of the corresponding first fragment data,, [column 20, lines 38-55]*

*The concatenation information included in the fragment data update data including a second position information on a connection position of the corresponding second fragment data in the structured data and second concatenation processing information for specifying an 'add' as a processing way for concatenating the corresponding second fragment data and the structured data at the receiving side, [column 20, lines 38-55]*

*Wherein said first position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding first fragment data in relation to the specified node, and [column 20, lines 38-55]*

*Wherein when the connection position of the corresponding first fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said first position information is information specifying the lower node and the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding first fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding first fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in*

Art Unit: 2145

*said first position information is information specifying the given node and the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding first fragment data, [column 20, lines 38-55]*

*Wherein said second position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding second fragment data in relation to the specified node, and [column 20, lines 38-55]*

*Wherein when the connection position of the corresponding second fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said second position information is information specifying the lower node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding second fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding second fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said first position information is information specifying the given node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding second fragment data, [column 20, lines 38-55]*

*Said structured data receiving method comprising the steps of:*

Art Unit: 2145

*Receiving the fragment data configuration information and the fragment update data; [column 19, lines 59-63]*

*Specifying the location of the corresponding fragment data based on the reference information included in each piece of fragment data configuration information, [column 20, lines 12-23]*

*Receiving the first fragment data from the specified location; [column 19, lines 59-63]*

*Processing said first position information included in each piece of fragment data configuration information according to the information on the name of the highest node included in the reference information included in each piece of fragment data configuration information; and [column 20, lines 29-55]*

*Adding the received first fragment data to the connection position based on the first position information and the first concatenation processing information included in each piece of fragment data configuration information and adding the second fragment data included in the received fragment data update data to the connection position based on said second position information and the second concatenation processing information included in the received fragment data update data to generate the structured data. [column 20, lines 29-55]*

16. In regard to claim 35, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of first fragment data, a plurality of fragment data configuration information each corresponding to each first fragment data and which are information for generating a structured data having a tree structure by concatenating said plurality of first fragment data at a receiving side, and a fragment data update data including a second fragment data and concatenation information for concatenating the second fragment data and the structured data, [column 22, lines 15-30]*

*Each piece of fragment data configuration information including reference information, first position information on a connection position of the corresponding first fragment data in the structured data, and first concatenation processing information for specifying an 'add' as a processing way for concatenating the corresponding first fragment data and the structured data at the receiving side, the reference information having location information on a location of corresponding first fragment data and*

Art Unit: 2145

*information on a name of a highest node of the corresponding first fragment data, [column 20, lines 38-55]*

*The concatenation information included in the fragment data update data including a second position information on a connection position of the corresponding second fragment data in the structured data and second concatenation processing information for specifying an 'add' as a processing way for concatenating the corresponding second fragment data and the structured data at the receiving side, [column 20, lines 38-55]*

*Wherein said first position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding first fragment data in relation to the specified node, and [column 20, lines 38-55]*

*Wherein when the connection position of the corresponding first fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said first position information is information specifying the lower node and the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding first fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding first fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said first position information is information specifying the given node and the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding first fragment data, [column 20, lines 38-55]*

Art Unit: 2145

*Wherein said second position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding second fragment data in relation to the specified node, and [column 20, lines 38-55]*

*Wherein when the connection position of the corresponding second fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said second position information is information specifying the lower node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding second fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding second fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said first position information is information specifying the given node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding second fragment data, [column 20, lines 38-55]*

*Said structured data receiving method comprising the steps of:*

*Receiving the fragment data configuration information and the fragment update data; [column 19, lines 59-63]*

*Specifying the location of the corresponding fragment data based on the reference information included in each piece of fragment data configuration information, [column 20, lines 12-23]*

Art Unit: 2145

*Receiving from the specified location, the first fragment data determined to be concatenated based on the information on the content included in the reference information included in each piece of fragment data configuration information; and*[column 19, lines 59-63]

*Adding the received first fragment data to the connection position based on the first position information and the first concatenation processing information included in each piece of fragment data configuration information and adding the second fragment data included in the received fragment data update data to the connection position based on said second position information and the second concatenation processing information included in the received fragment data update data to generate the structured data.* [column 20, lines 29-55]

17. In regard to claim 36, Shadmon disclosed:

*A structured data receiving method of receiving a plurality of first fragment data, a plurality of fragment data configuration information each corresponding to each first fragment data and which are information for generating a structured data having a tree structure by concatenating said plurality of first fragment data at a receiving side, and a fragment data update data including a second fragment data and concatenation information for concatenating the second fragment data and the structured data,* [column 22, lines 15-30]

*Each piece of fragment data configuration information including reference information, first position information on a connection position of the corresponding first fragment data in the structured data, and first concatenation processing information for specifying an 'add' as a processing way for concatenating the corresponding first fragment data and the structured data at the receiving side, the reference information having location information on a location of corresponding first fragment data, information on a name of a highest node of the corresponding first fragment data, and information on a content of the corresponding fragment data,* [column 20, lines 38-55]

*The concatenation information included in the fragment data update data including a second position information on a connection position of the corresponding second fragment data in the structured data and second concatenation processing information for specifying an 'add' as a processing way for*

Art Unit: 2145

*concatenating the corresponding second fragment data and the structured data at the receiving side,  
[column 20, lines 38-55]*

*Wherein said first position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding first fragment data in relation to the specified node, and [column 20, lines 38-55]*

*Wherein when the connection position of the corresponding first fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said first position information is information specifying the lower node and the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding first fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding first fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said first position information is information specifying the given node and the information specifying the connection position of the corresponding first fragment data in relation to the specified node in said first position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding first fragment data, [column 20, lines 38-55]*

*Wherein said second position information included in the fragment data configuration information includes information specifying a node in the structured data and information specifying a connection position of the corresponding second fragment data in relation to the specified node, and [column 20, lines 38-55]*

Art Unit: 2145

*Wherein when the connection position of the corresponding second fragment data in the structured data is immediately before a lower node located one level lower than a given node, the information specifying the node included in said second position information is information specifying the lower node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is at the same level as that of the specified node in relation to a node that is one level higher than that of the specified node and which is immediately before a position of the specified node, as the connection position of a highest node of the corresponding second fragment data, and [column 20, lines 38-55]*

*When the connection position of the corresponding second fragment data in the structured data is immediately after a last node of lower nodes located one level lower than a given node or is a position one level lower than a given node having no lower node, the information specifying the node included in said first position information is information specifying the given node and the information specifying the connection position of the corresponding second fragment data in relation to the specified node in said second position information is information specifying a position, which is a position at one level lower than that of the specified node and which is the last node at the lower level, as the connection position of the highest node of the corresponding second fragment data, [column 20, lines 38-55]*

*Said structured data receiving method comprising the steps of:*

*Receiving the fragment data configuration information and the fragment update data; [column 19, lines 59-63]*

*Specifying the location of the corresponding fragment data based on the reference information included in each piece of fragment data configuration information, [column 20, lines 12-23]*

*Receiving from the specified location, the first fragment data determined to be concatenated based on the information on the content included in the reference information included in each piece of fragment data configuration information; [column 19, lines 59-63]*

Art Unit: 2145

*Processing said first position information included in each piece of fragment data configuration information according to the information on the name of the highest node included in the reference information included in each piece of fragment data configuration information; and*[column 20, lines 29-55]

*Adding the received first fragment data to the connection position based on the first position information and the first concatenation processing information included in each piece of fragment data configuration information and adding the second fragment data included in the received fragment data update data to the connection position based on said second position information and the second concatenation processing information included in the received fragment data update data to generate the structured data.* [column 20, lines 29-55]

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571)272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Jeffrey R. Swearingen  
Examiner  
Art Unit 2145

Application/Control Number: 10/668,301

Page 21

Art Unit: 2145

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Supervisory Patent Examiner, Art Unit 2145